



Department of State

TELEGRAM

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ACTION IO-18

INFO OCT-01 EUR-20 PM-09 NSC-10 SS-20 RSC-01 L-04 P-03

PRS-01 USIA-12 CIAE-00 INR-08 NSAE-00 SY-03 FBI-01

CPR-02 JUS-02 RSR-01 /116 W

R 032005Z AUG 71
FM USMISSION USUN NY
TO SECSTATE WASHDC-6516
INFO AMEMBASSY MOSCOW

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SUBJ: JDL TRIALS IN NY SUPREME COURT

REF: USUN 1622

POL 23-8 US

DEPARTMENT OF STATE A/CDC/MR

REVIEWED BY M. D. C. / MA DATE 3.12.51

RDS ☐ or XDS ☐ EXT. DATE

TS AUTH. REASON(S)

ENDORSE EXISTING MARKINGS ☐

DECLASSIFIED ☐ RELEASABLE ☒

RELEASE DENIED ☐

PA or FOI EXEMPTIONS

1. RABBI KAHANE AND SIX JDL MEMBERS INDICATED FOR CRIMES ALLEGEDLY COMMITTED ARAB-AMERICAN RELATIONS OFFICE MAY 22, 1970. INTOURIST NOVEMBER 1970 AND SMUNI DECEMBER 27, 1970. NOW SCHEDULED APPEAR NY SUPREME COURT AUGUST 16 TO PLEAD. TRIALS COULD BEGIN IMMEDIATELY THEREAFTER. NY DA'S OFFICE INTENDS FIRST TRIAL TO BE RABBI KAHANE FOR RIOT AND INCITEMENT TO RIOT. OTHER DEFENDANTS EACH WOULD HAVE SEPARATE TRIAL AFTER RABBI KAHANE TRIAL COMPLETED.

2. NY COUNTY ASST DA STAN LUPKIN WHO WILL TRY SUBJECT CASES STATES THAT RABBI KAHANE LAWYER THIS CASE (TAKEFF) HAS INDICATED HE MIGHT WISH PLEAD RABBI KAHANE GUILTY. LUPKIN SAYS HE CANNOT GIVE ANY OTHER DETAILS BUT SAID THE HAS MADE NO PROMISES. LUPKIN SAYS IF TAKEFF DECIDES AFTER DISCUSSION WITH RABBI KAHANE THAT KAHANE WILL PLEAD GUILTY JUDGE MAY SENTENCE RABBI KAHANE TO JAIL TERM IF HE CONCLUDES THIS MOST SUITABLE SENTENCE BASED ON PROBATION REPORT.

3. IF RABBI KAHANE DECIDES PLEAD GUILTY LUPKIN PLANS HAVE CASE MOVED UP TO AUGUST 9. OTHER CASES WOULD REMAIN ON FOR AUGUST 16.

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4. COMMENT

AS NOTED PARA 3 REF TEL LUPKIN BELIEVES STATE HAS NEW CASE AGAINST RABBI KAHANE AND REGARDS DEFENSE ATTORNEY INDICATION THAT GUILTY PLEA UNDER CONSIDERATION TO BE FAVORABLE BREAK. WE ASSUME LUPKIN IS CONSIDERING TERMS OF DEAL WHICH CAN BE WORKED OUT IN CASE. IF DEPT HAS ANY VIEWS IT WISHES CONVEYED TO LUPKIN REQUEST THEY BE SENT ASAP. AS NEGOTIATIONS APPARENTLY TAKING PLACE. RECOMMEND MUSDOFF BE AUTHORIZED SUGGEST TO LUPKIN INFORMALLY THAT DEPT CONSIDERS HANDLING OF CASE TO BE MATTER OF NY COUNTY DIST ATTY POLICY BUT THAT IF DEAL IS MADE THEN ITS TERMS SHOULD BE DRAWN SO THAT RABBI KAHANE WILL BE DISSUADED FROM FURTHER HARASSMENT SMUN.
RUSH

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